

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

DAVID FERGUSON, ET AL.

Plaintiffs

v.

**RYDER AUTOMOTIVE CARRIER
SERVICES, INC., ET AL.**

Defendants

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Case No. C-1-02-039

Judge Herman Weber

**AFFIDAVIT OF
LYNN BUCKHALT**

Affiant Lynn Buckhalt, after having first been duly cautioned and sworn, deposes and states as follows:

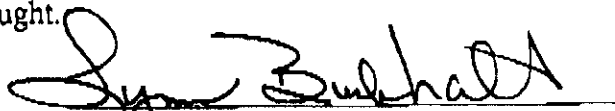
1. My name is Lynn Buckhalt. During 1999, 2000 and 2001, I was the general manager of Allied Parts Connection, Inc. ("APC") located at 370 Gees Mill Business Parkway, Conyers, Georgia 30013. I have personal knowledge of the facts contained within my affidavit.
2. During 1999, 2000 and 2001, APC was the sole supplier of parts and materials to Allied Systems, Ltd. and Allied Automotive Group, Inc. for use in the repair and maintenance their tractors. Upon receipt of a requisition for parts or materials from either of those entities, APC would issue a purchase order with one or more vendors to obtain them.
3. I am familiar with the purchase orders that APC placed with its vendors of head ramp safety cables during 1999, 2000 and 2001, as well as the shipment documents that APC received from those vendors upon receipt of the cables. One of those vendors was C.C. Sharrow, Co., Inc. of St. Paul, Minnesota.
4. I knew that there was an initiative being implemented at Allied Systems, Ltd. and Allied Automotive Group, Inc. to replace the old head ramp safety cables then installed on their

tractors with new ones. The replacement cable orders issued by APC in response to requisitions for material were of two varieties. The first was an eyebolt configuration that did not look like the old cables being replaced. The second variety of cable was one made of nylon coated stainless steel that looked similar to the cables being replaced.

5. According to the shipping/receipt documents that APC received from C.C. Sharrow, Co., Inc., APC did not receive any of the nylon coated stainless steel replacement cables prior to October 2000. True copies of C.C. Sharrow's shipping/receipt documents of the new stainless steel cables are attached to my Affidavit as Exhibit A. Those documents show that the first times that stainless steel head ramp safety cables were shipped to APC were on October 9, 2000 (in response to APC purchase order nos. 1131940-IN and 1131943-IN), and October 10, 2000 (in response to APC purchase order nos. 1131941-IN and 1131942-IN).

6. APC received none of the new type nylon coated stainless steel cables prior to October 2000. Any replacement cables supplied by APC to Allied Systems, Ltd. and Allied Automotive Group, Inc. prior to October 2000 would have to have been of the eyebolt variety.

7. Further affiant sayeth naught.

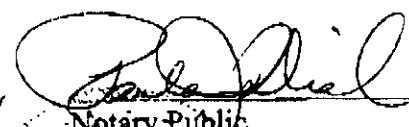

Lynn Buckhalt

STATE OF GEORGIA)

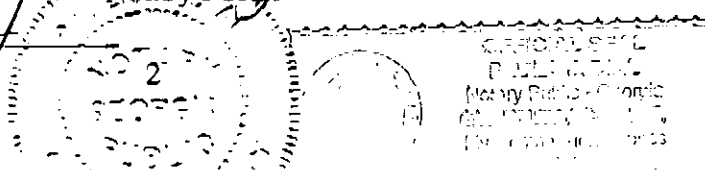
) SS:

COUNTY OF ROCKDALE)

Sworn to before me and subscribed in my presence, a notary public for the state and county aforesaid this 2ND day of October 2003, by Lynn Buckhalt as her own free and voluntary act and deed.


Notary Public

My commission expires: 10-01-04



CERTIFICATE OF SERVICE

I certify that true and correct copies of the foregoing were served by depositing the same into the United States Mails, first class postage prepaid, on this 2 day of October 2003, to:

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